

**REMARKS/ARGUMENTS**

Claims 1-21 are pending in the present application. Claims 1-21 stand rejected for the reasons indicated in the Office Action. Claims 11-21 have been canceled. No new matter is added by this amendment. Entry of this amendment is hereby requested.

**With Respect to the Objections to the Drawings, Page 2-3 of the Office Action:**

Fig. 1 has been objected to as the United States Patent and Trademark Office has indicated that the reference number “6” should be replaced with “16.” However, reference number “6” as currently shown in Fig. 1 is correct, namely, the structure referenced is “a pinion or a toothed crown 6” as disclosed on page 3, lines 15-17:

The second hollow shaft 5 is the motion inlet shaft and, when the transmission is used for two-wheeled vehicles, is rigidly connected to motor means, such as a pinion or a toothed crown 6 . . .

Further, as can be appreciated from the above section, the “motor means” as claimed in claim 1 refers to a pinion or a toothed crown or an equivalent.

Claims 11-21 have been canceled in order to promote examination of this application on the merits. The Applicant reserves the right to amend the drawings in the future and put back these claims if warranted.

**With Respect to the Rejection under 35 U.S.C. §112, First Paragraph, Pages 4-5, Paragraph 1 of the Office Action:**

Claims 1 and 5 stand rejected under 35 U.S.C. §112, first paragraph, for the reasons indicated on pages 4-5, paragraph 1, of the Office Action. Taking the issues raised by the Office Action in order, the Applicant concurs that the first support is designated “9” and that the second hollow shaft is designated “5” in the disclosure and figures, and disclosed in the disclosure at page 3, lines 13-21, and page 3, lines 24-25, respectively, among other places.

Next, the United States Patent and Trademark Office states on page 4, line 6 through page 5, line 3 of the Office Action:

. . . On page 5 of the specification, application states that axial position of the first support will change the ratio, which support the theory behind the claimed limitations. It can be shown, however, that the only axial displacement

means disclosed for this invention would be means (part 3) to axially move the first hollow shaft 2 (see page 3 of the specification).

Looking at both Figures 1 and 2, and the specification, it is unclear how the first support is supposed to axially move to change ratios. The first hollow shaft 2 rotatably supports the second hollow shaft 2 and in-turn the first support 9 via bearings/bushings 4 and 8. From the drawings, it looks as if the axial shifting of the hollow shaft 2 will probably axially displace the center assembly (parts 12, 13, 14, etc.) and the bearing/bushing 4 (given the bump stops to hold the bearing/bushing supporting the center assembly[]). If the second shaft 5 is fixed to the bearing/bushing 4, and can move, then 2 problems are encountered: 1) the axial distance between first support 9 and the center assembly will never change, therefor preventing any ratio change; and 2) seeing as how the second hollow shaft 5 is supported within the housing and connected to the drive sprocket/pinion 6, the whole assembly would have to move axially, which would destroy the housing. Also, it is assumed that axial movement of the drive sprocket/pinion would be unwanted.

Therefor, it is unclear how the first support can be moved axially without destroying the structure of the invention. Disregarding the destruction of the housing, it is unclear how the center assembly and the first support have their respective axial distance manipulated.

The Applicant responds to the issues raised above as follows. First, it is not true that “the axial shifting of hollow shaft 2 will probably axially displace the center assembly . . . and the bearing/bushing 4 . . . ,” since elements 12, 13, 14 are not constrained by the shaft 2. Second, it is not true that “the second shaft 5 is fixed to the bearing/bushing 4.” Instead, the second shaft 5 slides onto the bearing/bushing 4.

The description of the operation of the device given by the United States Patent and Trademark Office is not accurate. The device operates as follows. The first support 9 is fixed, not moving, and the hollow shaft 2, when sliding, moves the second hollow shaft 5 with respect to the first support 9. The first support 9 is anchored to the box 20 and changes the apparent orbit of the first support 9. In other words, the first support 9 is fixed, though it appears to orbit when viewed from the outside, the second hollow shaft 5 moves and, since the second hollow shaft 5 is on an inclined plane with respect the first

support 9, the second hollow shaft 5 changes the apparent orbit of the first support 9 so that the first support 9 performs an apparent fixed orbit of 360°.

Therefor, the Applicant requests that the Patent and Trademark Office withdraw this rejection.

Claim 7 stands rejected under 35 U.S.C. §112, first paragraph, for the reasons indicated on page 5, paragraph 2, of the Office Action, the United States Patent and Trademark Office stating:

In claim 7, Applicant claims a second support 9' that is assembled with a slanted axis. This makes sense, otherwise it would be unclear how this second support could ever mesh with the center assembly. It can be shown, however, that on Fig. 1, this slanted axis is not present. In fact, it is believed that the slanted axis of the second support 9' is never disclosed in the specification. Therefor, the drawing does accurately show the disclosed (not the claimed) invention, except for the meshing teeth/rollers of the second support 9' and the center assembly. If Fig. 1 and the disclosure are correct, it is unclear how the second support [9'] would ever function within the transmission.

First, the Applicant believes that there is adequate support for the slanted axis of the second support 9'. For example:

According to a preferred embodiment of the invention, from its opposite part, the crown has a second series of teeth that mesh with a circular series of rollers assembled on a second support with a slanted axis. [page 1, lines 26-28]

The teeth 11' engage a series of rollers assembled on a second (disk) support 9' corresponding to the first support 9 and assembled on a portion of the third hollow shaft 5' that has a slanted axis, by bearings between the second support 9' and the third hollow shaft 5'. [page 4, lines 13-16]

Therefor, the Applicant requests that the Patent and Trademark Office withdraw its rejection of claim 7 as the slanted axis of the second support 9' is clearly disclosed in the specification. Further, there is no requirement that each possible orientation of each part of a mechanical structure be depicted in the figures, only that the claimed parts are depicted. For example, in claim 1, there is a limitation that "where rotation of the second hollow shaft causes the first support to perform an orbital movement, thereby causing the teeth or

rollers on the first support to engage the teeth on the wheel.” There is no requirement for a series of figures showing each aspect of this movement or the various elements depicted at each position as claimed in claim 1. The Applicant respectfully requests that the Patent and Trademark Office reconsider the remainder of this rejection.

Finally, with respect to the requirement to show the second pair of pins in the drawings as referenced on page 4 of the specification, the Applicant notes that the second pair of pins is not specifically claimed in the pending claim set. Further, the Applicant can add a reference number 16' on the bottom left of Fig. 1 corresponding to the first pair of opposing pins 16 referenced on the top right of Fig. 1, so that it is clear that the axis along the pin 16' where ring 15' and free-wheel device 17' are hinged is offset at 180° with respect to axis B-B, where ring 15 and free-wheel device 17 are hinged, that is, that both slanted axes slide according to the movement orbit and their planes are at 90° one with respect to the other; however, the second pair of pins are in another plane, and besides are not essential to the invention.

Therefor, the Applicant requests that the Patent and Trademark Office withdraw this rejection.

**CONCLUSION**

The Applicants believe that all pending claims, claims 1-10 are now believed to be in condition for allowance and a Notice of Allowance is requested. If, however, there remain any issues which can be addressed by telephone, the Examiner is encouraged to contact the undersigned.

No fee is believed due in connection with this communication. If, however, any fee is owed, the Commissioner is hereby authorized to charge payment of the fee associated with this communication to Deposit Account No. 19-2090.

Respectfully submitted,

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By /David A. Farah/  
David A. Farah, M.D.  
Reg. No. 38,134

SHELDON MAK ROSE & ANDERSON  
A Professional Corporation  
100 East Corson Street - Third Floor  
Pasadena, California 91103  
Tel.: (626) 796-4000  
Fax: (626) 795-6321  
E-mail: davidf@usip.com